

J Justice Roadmap



Justice Roadmap

We are criminal justice and immigration justice advocates, directly impacted people, legal service providers, and faith leaders who stand united in the belief that this is a critical moment in our country's history, one that requires our state's leaders to have moral clarity and take unequivocal action. New York must decarcerate jails and prisons and ensure the basic human dignity and core constitutional and human rights of all New Yorkers.

The Justice Roadmap is a legislative agenda designed to address the harms caused by the deeply entangled criminal legal and immigration systems. For far too long, our state has failed to provide New Yorkers with affordable housing, quality healthcare and robust educational and economic opportunities. Instead, New York has built and metastasized systems of criminalization and incarceration. False and racist labels of criminality are used to justify dehumanizing conditions and treatment, deny basic rights, permanently exile individuals from their communities through incarceration and deportation, and further target and extract resources from economically-distressed communities. These systems operate through violent policy, structure, and culture to oppress and criminalize Black and brown people, families and communities. Now is the time for change.

In the 2020 elections, New Yorkers have given the Legislature a mandate to make bold and progressive change. Our movements have been showing up all year, taking to the streets to express our outrage at the status quo and demand change. New Yorkers are still confronting the active, existential threat of the COVID-19 pandemic, and will be dealing with its economic and health impacts for years to come. This year has exposed the fragility of the health and safety of Black, brown, immigrant, and poor people in this country, and in this moment, lawmakers must deliver on demands prioritized by these communities.

In 2021, we renew the call for bold action to protect communities of color and immigrants by passing the following legislation:

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Choose Community Safety over Police Power

End Qualified Immunity
Transparency in Police Custody
Repeal the Walking While Trans Ban
Stop Violence in the Sex Trades
New York For All

End the War on Drugs & Criminalization of Mental Illness

Marijuana Regulation and Taxation Act
Treatment, Not Jails
Decriminalize the Possession and Sale of Syringes and Buprenorphine

Decarcerate Jails and Prisons & End Perpetual Punishment

Fair and Timely Parole
Elder Parole
Sentencing Reform
Clean Slate
Post Conviction Relief

Protect the Dignity and Opportunity of Incarcerated People

HALT Solitary Confinement
End Forced Labor
Restore Tuition Assistance Program (TAP) for Incarcerated Students
Treatment and Placement of Incarcerated People based on Gender Identity

Keep Families Connected

Connecting Families
Right to In-Person Visits

End Wealth Extraction & Invest in Our Communities

End Predatory Court Fees
Eliminate Parole and Probation Fees
Fund Excluded Workers
Access to Representation Act

Achieve Youth Justice

Young Adult Status
Second Chance
Raising the Age of Juvenile Delinquency

THE ISSUES



CHOOSE COMMUNITY SAFETY OVER POLICE POWER

Police presence in our communities introduces more violence under the guise of preventing it. New York must **End Qualified Immunity** because communities should be empowered to hold New York law enforcement accountable, and officers who commit harm and take lives should not be insulated from accountability. We must increase transparency in the police detention process by passing the **Transparency in Police Custody Act (S.1184)**, allowing family members and lawyers to locate people in police custody and ensure that their basic rights are upheld.

The legislature must also repeal the **Walking While Trans Ban (S.1351/A.3355)** to protect transwomen, femmes and gender-nonconforming people from additional targeting by the police, and **Seal Violations** related to this charge. The legislature must also pass **Stop Violence in the Sex Trades Act (S.3075/A.849)** to decriminalize sex work between consenting adults, which too often results in immigration and housing consequences for New Yorkers.

New Yorkers also need safeguards to ensure that no state or local resources, including law enforcement resources, are used to fuel mass deportation or separate families. **New York for All (S.3076/A.2328)** will protect immigrants by barring law enforcement officers from sharing information with ICE or Customs and Border Patrol and prohibit law enforcement from entering agreements to double as ICE agents.

THE ISSUES



END THE WAR ON DRUGS + THE CRIMINALIZATION OF MENTAL ILLNESS

The criminalization of drug use has not been an effective method of prevention. Instead, it has created more dangerous conditions: enabling police harassment, subjecting more people to the violence of prisons and jails, and putting immigrants at risk of deportation since any arrest is logged in a database accessible by ICE.

It's time for New York to pass the **Marijuana Regulation and Taxation Act (S.854/A.1248)**, which establishes legal, regulated marijuana access for adults 21 and over, addresses the impacts of prior criminalization, establishes an equitable and diverse industry, and reinvests cannabis tax revenue in communities that have been most impacted by the drug war. It would also help prevent the detention and deportation of New Yorkers for minor marijuana offenses, which are the most common offenses triggering deportation.

New York also needs to provide **Treatment, Not Jails** to ensure off-ramps to incarceration for people with mental illness or mental health needs, and to **Decriminalize the possession and sale of syringes (S.2523/A.868) and buprenorphine (S.2524/A.612)** to promote access to proven public health measures for people who use drugs, rather than punishment, which increases the risk of fatal overdose.

THE ISSUES



DECARCERATE JAILS + PRISONS + END PERPETUAL PUNISHMENT

Each day in New York State, tens of thousands of people, disproportionately Black, brown and low-income, languish behind bars. New York must pass legislation that decarcerates jails and prisons, protects due process, and recognizes the potential all people have for growth and change.

The New York State Parole Board annually denies thousands of incarcerated New Yorkers their freedom, punishing them, their families and communities for years and decades beyond their minimum sentence.

New York's Parole Board has broad authority to deny parole based on the nature of the offense alone, no matter how much time has passed, and despite someone's accomplishments in prison and minimal public safety risk. New York must mandate that the Parole Board grant **Fair and Timely Parole (S.1415/A.4231)** to all parole-eligible people in prison unless they pose a clear risk of violating the law in ways that cannot be mitigated by community supervision. In addition, thousands of New Yorkers are serving prison sentences that amount to death-by-incarceration without any opportunity for release, no matter a person's growth and change over time.

Elder Parole (S.15/A.3475) addresses these inhumane sentences by allowing people in New York State prison aged 55 and older who have served 15 or more consecutive years to be considered for parole, regardless of their crime or sentence. In addition to addressing the ongoing injustices of the parole system, New Yorkers are also ready to dismantle systems of mass incarceration, and prioritize communities over cages through decarceral **Sentencing Reform** that eliminates mandatory minimums, reduces excessive maximum sentences, eliminates sentencing enhancements, and creates additional opportunities for people to be considered for release.

THE ISSUES



PROTECT THE DIGNITY + OPPORTUNITY OF INCARCERATED PEOPLE

Even after people complete their sentences, New York's current system continues to punish people who face barriers to housing, jobs, deportation and ICE detention because of a criminal record. New Yorkers need a **Clean Slate (S.1553A)** through automatic criminal records expungement. They also need an opportunity to seek **Post Conviction Relief (S.266/ A.98)** for offenses that New York has since decriminalized, for wrongful convictions, and for convictions based on faulty evidence or in violation of their rights.

New York must protect the rights, humanity, and access to education of incarcerated people. Right now in New York State, torture and forced labor are standard practices in prisons and jails. The United Nations defines solitary confinement beyond 15 days as torture, yet in New York State people routinely spend months, years, and even decades in solitary.

This form of torture is disproportionately inflicted on Black and brown people and people with mental illness, drives an epidemic of suicide and self-harm behind bars, and increases rates of recidivism. In pre-trial detention, solitary confinement also pressures people to accept harsh plea deals that in turn can trigger an ICE arrest, detention, and deportation. The legislature must pass the **HALT Solitary Confinement Act (S.2836/A.2277)** to end this torture. New York must **End Forced Labor** by prohibiting compulsory work in prison. In addition, New York must **Restore Tuition Assistance Program (TAP)** for incarcerated college students to ensure equitable access to higher education.

THE ISSUES



KEEP FAMILIES CONNECTED

Respecting the dignity of all New Yorkers also requires recognizing everyone's right to gender self-determination. That's why New York must pass **Treatment and Placement of Incarcerated People based on Gender Identity (S.2809/A.691)**, which would ensure that people are placed and given access to commissary items based on their self-determined gender.

Families should be able to maintain connections with their incarcerated loved ones. The **Connecting Families** bill package would make communication from prisons and jails more accessible and cost-free so that people do not have to choose between paying bills and keeping in touch with their loved ones. Incarcerated people rely on these critical connections, whether they are fathers telling their children they love them before bedtime or immigrants preparing for deportation when they are released.

New York must also codify the **Right to In-Person Visits (S.2841/A.4250)** at all jails and prisons, so that families can spend time with their incarcerated loved ones in person, and not just through a screen.

THE ISSUES



END WEALTH EXTRACTION + INVEST IN OUR COMMUNITIES

Every day, New Yorkers are arrested and imprisoned because they cannot afford to pay fines and fees. The result is a racist system of taxation-by-citation that encourages policing-for-profit, criminalizes poverty, and endangers Black and brown communities. This system of racialized taxation turns police and courts into debt collectors and imposes additional financial burdens on re-integrating New Yorkers. This is why New York must **End Predatory Court Fees (S.3979/A.2348)** and **Eliminate Parole and Probation Fees.**

Addressing systemic harms of the criminal and immigration systems means investing in and supporting the people who have been harmed by these systems. **Fund Excluded Workers** accomplishes this by making emergency resources available for workers who have been left out of unemployment benefits, including undocumented New Yorkers and people recently released from prison and immigration detention. In addition, New York must also invest in a right to counsel for all immigrants facing deportation through the **Access to Representation Act (S.81/A.1961)**, which would enact the first right to counsel for immigrants and help stabilize immigrants' lives.

THE ISSUES



ACHIEVE YOUTH JUSTICE

New York must pass a Youth Justice Agenda in line with the latest neuroscience research on brain development. We need a new **Young Adult Status (A.3536)** that provides protections for court-involved people who are 25 or younger, as well as expanded eligibility for Youthful Offender (YO) status. Because YO adjudications do not trigger many of the harshest detention and deportation consequences, they are also a critical protection for immigrant youth.

For young people who were eligible for YO status but did not receive it, they should be given a **Second Chance (S.282)** for a redetermination after five years. Finally, by **Raising the Age of Juvenile Delinquency (S.4051)** from 7 to 12 years old, New York can end the criminal punishment of elementary school-aged children.

ENDORISING ORGANIZATIONS

Academia Arrested
African Services Committee
American Friends Service Committee
Anti-Racist Catskills
Appellate Advocates
Association of Legal Aid Attorneys (UAW 2325)
Beacon Prison Action
Bend the Arc: Jewish Action Long Island
Black Alliance for Just Immigration (BAJI)
Black Lives Matter - Hudson Valley
Black Trans Nation
Brooklyn Community Bail Fund
Brooklyn Defender Services
Brooklyn Law School Criminal Defense & Advocacy Clinic
CAAAY: Organizing Asian Communities
Call BlackLine
Capital Area Against Mass Incarceration
Catskill Mutual Aid
Center for Appellate Litigation
Center for Community Alternatives
Center for Disability Rights
Center for Law and Justice
Center on Race, Inequality, and the Law at New York University School of Law
Chief Defenders Association of New York
Children's Defense Fund-NY
Children's Rights
Chinese-American Planning Council (CPC)
Citizen Action New York
Citizen Action WNY
Columbia County Sanctuary Movement
Community Service Society
Concerned Families of Westchester
Congregation Beit Simchat Torah
Correctional Association of New York
Criminal Defense Clinic, Fordham University School of Law
CUNY Rising Alliance
Decarcerate the Hudson Valley
Decarcerate Tompkins County
Drug Policy Alliance

DTruth Unlimited
Dutchess County Progressive Action Alliance
Emergency Release Fund
Empire Justice Center
Empire State Indivisible
End Jim Crow Action Network (ENJAN)
End the New Jim Crow Action Network-Poughkeepsie
Enough Is Enough
Equitable Future, Inc.
Exodus Transitional Community
Families for Freedom
Fines and Fees Justice Center
Forefront NYC
Free The People WNY
Freedom Agenda
Friends of Island Academy
Gender Equality New York, Inc.
Getting Out and Staying Out
GMHC
Granny Peace Brigade
Greenburger Center for Social and Criminal Justice
HALT Solitary Campaign
Hour Children
Hudson Catskill Housing Coalition
Hudson Valley Strong Indivisible
Human Rights Watch
I Am Citizen
Immigrant Defense Project
Incarcerated Nation Network, Inc.
Innocence Project
Interfaith Peace Network of WNY
It Could Happen To You
Jews for Racial & Economic Justice
Jim Owles Liberal Democratic Club
John Jay College Institute for Justice and Opportunity
Judson Memorial Church
Justice 4 Women Task Force
Justice and Unity for the Southern Tier
Justice For Families
Laloon

ENDORISING ORGANIZATIONS

LatinoJustice PRLDEF
Legal Action Center
Legal Aid Bureau of Buffalo
Legal Aid Society
Legal Aid Society of Nassau County
Legal Services Staff Association, NOLSW/
UAW 2320
LIFE Progressive Services Group Inc.
Long Island Activists
Long Island Black Alliance
Long Island Network for Change (LINC)
Long Island Progressive Coalition
Long Island Social Justice Action Network
Make the Road NY
Marsha P. Johnson Institute
Memorial United Methodist Church
Met Council Action
Met Council on Housing
Mid Hudson Valley Democratic Socialists of
America
Monroe County Public Defender's Office
Nassau County Jail Advocates
National Action Network NYC Chapter
Second Chance Committee
National Alliance on Mental Illness (NAMI) -
Huntington
National Alliance on Mental Illness (NAMI) -
NYS Criminal Justice
National Alliance on Mental Illness (NAMI) -
Queens
National Lawyers Guild Rochester
Neighborhood Defender Service of Harlem
Neighbors Together
New Hour
New Hour for Women & Children - Long
Island
NEW Pride Agenda
New Sanctuary Coalition
New York City Jericho Movement
New York Civil Liberties Union
New York Civil Liberties Union - Nassau
Chapter
New York Communities for Change

New York County Defender Services
New York Immigration Coalition
New York Social Action
New York State Association of Criminal
Defense Lawyers (NYSACDL)
New York State Coalition Against Sexual
Assault
New York State Prisoner Justice Network
New York State Youth Leadership Council
NNLB
Nobody Leaves Mid-Hudson
Nonprofit Finance Fund
NY02 Indivisible
NYC Metro Raging Grannies
Office of the Appellate Defender
Onondaga County Bar Assoc. Assigned
Counsel Program
Open Arms
Parole Preparation Project
Partnership for the Public Good
Peaceprints of WNY
PEER: Progressive East End Reformers
Prison Families Anonymous
Prison Writes
Prisoners Are People Too
Public Interest Resource Center, Fordham
Law School
Quakers-Religious Society of Friends, NY
Yearly Meeting
Release Aging People in Prison Campaign
Resource Generation NYC
Rise And Resist NYC
Rise Up Kingston
Robert F. Kennedy Human Rights
Rockland Citizens Action Network
Rockland Coalition to End the New Jim Crow
S.T.O.P. - The Surveillance Technology
Oversight Project, Inc.
S.T.R.O.N.G. Youth, Inc.
Shape Consulting Inc
Showing Up for Racial Justice (SURJ) - NYC
Showing Up for Racial Justice (SURJ) - ROC
Showing Up for Racial Justice (SURJ) -

ENDORISING ORGANIZATIONS



Westchester
Silent Cry Inc.
Sister of St. Joseph, Brentwood NY Office of
Justice, Peace, Integrity of Creation
Spoke and Feather
TakeRoot Justice
Tenants Political Action Committee
The Bronx Defenders
The Fortune Society
The Gathering for Juatice
The Newburgh LGBTQIA+ Center
The Osborne Association
The Safe Center LI
The Women's Community Justice Association
Trellis
Turning Points Resource Center
United Christian Leadership Ministry
United Voices of Cortland
UnLocal
Upstate Downstate Housing Alliance
Uptown Progressive Action
Village Independent Democrats
Violence Intervention Program
Visionary V
VOCAL-NY
Wayne County Public Defender
WESPAC Foundation, Inc.
Westchester Coalition for Police Reform
Westchester for Change
Witness to Mass Incarceration Inc.
WNY Peace Center
Women & Justice Project
Women's Diversity Network
Worker Justice Center of New York
Worth Rises
Yonkers Sanctuary Movement
Young Adult Perspective Project
Young Invincibles
Young Long Island for Justice
Youth Represent

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